

### **AMENDMENTS TO THE CLAIMS**

Please cancel claims 1-41 without prejudice or disclaimer and add new claims 42-119 as follows. This listing of claims will replace all prior versions and listings of claims in the application.

42. (new) A cosmetic composition for making up keratin fibers, comprising:  
up to 20% by weight of water and/or of water-soluble solvent relative to the total weight of said composition;

at least one wax in an amount of greater than 3% by weight relative to the total weight of said composition; and

at least one volatile oil in an amount such that the total volatile oil content is less than or equal to the solids content of said composition.

43. (new) The composition according to claim 42, wherein said solids content is greater than or equal to 40% by weight relative to the total weight of the composition.

44. (new) The composition according to claim 43, wherein said solids content is greater than or equal to 49% by weight relative to the total weight of the composition.

45. (new) The composition according to claim 42, wherein said at least one volatile oil represents more than 50% by weight of a nonaqueous solvent medium.

46. (new) The composition according to claim 42, wherein the total volatile oil content ranges from 5% to 50% by weight relative to the total weight of the composition.

47. (new) The composition according to claim 46, wherein said total volatile oil content ranges from 20% to 38% by weight relative to the total weight of the composition.

48. (new) The composition according to claim 42, wherein said at least one volatile oil is chosen from hydrocarbon-based oils, silicone oils, and fluoro oils.

49. (new) The composition according to claim 48, wherein said at least one volatile oil is a hydrocarbon-based oil chosen from hydrocarbon-based oils comprising from 8 to 16 carbon atoms and from petroleum distillates.

50. (new) The composition according to claim 49, wherein said hydrocarbon-based oil comprising from 8 to 16 carbon atoms is chosen from branched C<sub>8</sub>-C<sub>16</sub> alkanes.

51. (new) The composition according to claim 50, wherein said branched C<sub>8</sub>-C<sub>16</sub> alkanes are chosen from isododecane, isodecane, and isohexadecane, branched C<sub>8</sub>-C<sub>16</sub> esters, and isohexyl neopentanoate.

52. (new) The composition according to claim 42, wherein said at least one wax is chosen from waxes that are solid and rigid at room temperature, with a melting point of greater than or equal to 30 °C.

53. (new) The composition according to claim 52, wherein said at least one wax is chosen from waxes that are solid and rigid at room temperature, with a melting point of greater than or equal to 55 °C.

54. (new) The composition according to claim 42, wherein said at least one wax is chosen from hydrocarbon-based waxes; waxes obtained by catalytic hydrogenation of animal or plant oils comprising linear or branched C<sub>8</sub>-C<sub>32</sub> fatty chains; and waxes obtained by hydrogenation of castor oil esterified with cetyl alcohol.

55. (new) The composition according to claim 54, wherein said hydrocarbon-based waxes are chosen from beeswax, lanolin wax, Chinese insect waxes, sumach wax, paraffins, polyethylene waxes, waxy copolymers, and esters thereof.

56. (new) The composition according to claim 54, wherein said waxes obtained by catalytic hydrogenation of animal or plant oils comprising linear or branched C<sub>8</sub>-C<sub>32</sub> fatty chains are chosen from trans-isomerized partially hydrogenated jojoba oil, hydrogenated sunflower oil, hydrogenated castor oil, hydrogenated coconut oil, hydrogenated lanolin oil, and bis(1,1,1-trimethylolpropane) tetrastearate.

57. (new) The composition according to claim 42, wherein said at least one wax is chosen from waxes with a tack of greater than or equal to 0.7 N.s, and a hardness of less than or equal to 3.5 MPa.

58. (new) The composition according to claim 57, wherein said at least one wax is chosen from waxes with a tack of greater than or equal to 1 N.s.

59. (new) The composition according to claim 57, wherein said at least one wax is chosen from C<sub>20</sub>-C<sub>40</sub> alkyl (hydroxystearoxy) stearates.

60. (new) The composition according to claim 42, wherein said at least one wax is chosen from waxes with a starting melting point of greater than or equal to 45 °C.

61. (new) The composition according to claim 60, wherein said at least one wax is chosen from waxes with a starting melting point of greater than or equal to 60 °C.

62. (new) The composition according to claim 60, wherein said at least one wax is chosen from carnauba wax, rice bran wax, candelilla wax, ouricurry wax, montan wax, ozokerites, waxes obtained by Fisher-Tropsch synthesis, hydrogenated jojoba oil, bis(1,1,1-trimethylolpropane) tetrabehenate, waxes obtained by catalytic hydrogenation of olive oil esterified with stearyl alcohol, microcrystalline waxes and polyethylene waxes.

63. (new) The composition according to claim 42, wherein the total wax content ranges from 10% to 70% by weight relative to the total weight of the composition.

64. (new) The composition according to claim 63, wherein the total wax content is from 25% to 55% by weight relative to the total weight of the composition.

65. (new) The composition according to claim 42, further comprising at least one polymer that is soluble in said at least one volatile oil and that has at least one crystallizable portion.

66. (new) The composition according to claim 65, wherein said at least one polymer has a molar mass ranging from 200 to 1,000,000 g/mol.

67. (new) The composition according to claim 66, wherein said at least one polymer has a molar mass ranging from 1,000 to 300,000 g/mol.

68. (new) The composition according to claim 65, wherein said crystallizable portion represents at least 5% and not more than 50% by weight relative to the total weight of said polymer.

69. (new) The composition according to claim 68, wherein said crystallizable portion represents from 30% to 50% by weight relative to the total weight of said polymer.

70. (new) The composition according to claim 65, wherein said at least one polymer is chosen from:

copolymers of linear and saturated C<sub>12</sub> to C<sub>30</sub> alkyl acrylates or methacrylates and of linear C<sub>4</sub> to C<sub>10</sub> or branched, cyclic and/or unsaturated C<sub>4</sub> to C<sub>30</sub> alkyl (meth)acrylates;

copolymers of vinyl esters comprising linear and saturated C<sub>12</sub> to C<sub>30</sub> alkyl groups and of vinyl esters comprising linear C<sub>4</sub> to C<sub>10</sub> or branched, cyclic and/or unsaturated C<sub>4</sub> to C<sub>30</sub> alkyl groups;

polyamide polycondensates resulting from the condensation between ( $\alpha$ ) at least one acid chosen from dicarboxylic acids comprising at least 32 carbon atoms and ( $\beta$ ) an alkylenediamine, wherein said polycondensates comprise at least one carboxylic acid end group esterified or amidated with at least one linear and saturated monoalcohol and/or at least one linear and saturated monoamine comprising from 12 to 30 carbon atoms; and

lipophilic polyester polycondensates whose ends are esterified with a crystallizable acid or alcohol comprising a saturated linear C<sub>12</sub> to C<sub>30</sub> carbon-based chain.

71. (new) The composition according to claim 70, wherein said at least one polymer is chosen from vinyl acetate/vinyl stearate, vinyl acetate/allyl stearate, vinyl acetate/ethylene and ethylenediamine/stearyl dilinoleate copolymers, block copolymers of hydrogenated butadiene/isoprene and poly(12-hydroxystearic acid) in which at least one of the ends is esterified with stearic acid.

72. (new) The composition according to claim 65, wherein said at least one polymer is present in the composition in an amount ranging from 0.01% to 30% by weight relative to the total weight of the composition.

73. (new) The composition according to claim 72, wherein said at least one polymer is present in the composition in an amount ranging from 1% to 10% by weight relative to the total weight of the composition.

74. (new) The composition according to claim 42, wherein said composition is free of water and of water-soluble solvent.

75. (new) The composition according to claim 42, wherein said total content of water and/or of water-soluble solvent is greater than or equal to 0.5% by weight relative to the total weight of the composition.

76. (new) The composition according to claim 75, wherein said total content of water and/or of water-soluble solvent ranges from 1% to 18% by weight relative to the total weight of the composition.

77. (new) The composition according to claim 76, wherein said total content of water and/or of water-soluble solvent ranges from 2% to 15% by weight relative to the total weight of the composition.

78. (new) The composition according to claim 75, wherein said water-soluble solvent is chosen from lower monoalcohols comprising from 1 to 5 carbon atoms, glycols comprising from 2 to 8 carbon atoms, C<sub>3</sub> and C<sub>4</sub> ketones, and C<sub>2</sub>-C<sub>4</sub> aldehydes.

79. (new) The composition according to claim 42, further comprising at least one film-forming polymer.

80. (new) The composition according to claim 42, further comprising at least one dyestuff.

81. (new) The composition according to claim 42, further comprising at least one filler.

82. (new) The composition according to claim 42, further comprising at least one additive chosen from antioxidants, preserving agents, fragrances, neutralizers, plasticizers, fibers, gelling agents and cosmetic active agents, and mixtures thereof.

83. (new) The composition according to claim 42, further comprising at least one nonvolatile oil.

84. (new) The composition according to claim 42, wherein said composition has a plateau modulus of stiffness  $G_p$  of less than or equal to 30,000 Pa.

85. (new) The composition according to claim 84, wherein said plateau modulus of stiffness  $G_p$  is less than or equal to 20,000 Pa.

86. (new) The composition according to claim 42, wherein said composition has a flow threshold  $\tau_c$ , measured by oscillating rheology ( $\nu = 1$  Hz), ranging from 10 to 200 Pa.

87. (new) The composition according to claim 86, wherein the composition has a flow threshold  $\tau_c$ , measured by oscillating rheology ( $\nu = 1$  Hz), ranging from 20 to 100 Pa.

88. (new) A process for preparing a composition for making up keratin fibers, said process comprising continuously blending at least one wax while continuously cooling from a temperature above the melting point of said at least one wax to room temperature,

wherein said composition comprises up to 20% by weight of water and/or of water-soluble solvent relative to the total weight of said composition; at least one wax in an amount of greater than 3% by weight relative to the total weight of the composition; and at least one volatile oil present in an amount such that the total volatile oil content is less than or equal to the solids content of said composition.

89. (new) The process according to claim 88, wherein the blending comprises blending said at least one wax using a continuous twin-screw blender.



90. (new) The process according to claim 88, further comprising adding at least one volatile oil either prior to said blending or in the course of said blending.

91. (new) The process according to claim 90, wherein said at least one volatile oil represents more than 50% by weight of a nonaqueous solvent medium.

92. (new) The process according to claim 90, wherein said at least one volatile oil is present in an amount ranging from 5% to 50% by weight relative to the total weight of the composition.

93. (new) The process according to claim 90, wherein said at least one volatile oil is chosen from hydrocarbon-based oils, silicone oils, and fluoro oils.

94. (new) The process according to claim 88, further comprising, prior to said blending, adding at least one polymer that is soluble in said at least one volatile oil and that has a crystallizable portion.

95. (new) The process according to claim 94, wherein said at least one polymer has a molar mass ranging from 200 g/mol to 1,000,000 g/mol.

96. (new) The process according to claim 94, wherein said crystallizable portion represents at least 5% and not more than 50% by weight relative to the total weight of said polymer.

97. (new) The process according to claim 94, wherein said polymer is chosen from:

copolymers of linear and saturated C<sub>12</sub> to C<sub>30</sub> alkyl acrylates or methacrylates and of linear C<sub>4</sub> to C<sub>10</sub> or branched, cyclic and/or unsaturated C<sub>4</sub> to C<sub>30</sub> alkyl (meth)acrylates;

copolymers of vinyl esters comprising linear and saturated C<sub>12</sub> to C<sub>30</sub> alkyl groups and of vinyl esters comprising linear C<sub>4</sub> to C<sub>10</sub> or branched, cyclic and/or unsaturated C<sub>4</sub> to C<sub>30</sub> alkyl groups;

polyamide polycondensates resulting from the condensation between ( $\alpha$ ) at least one acid chosen from dicarboxylic acids comprising at least 32 carbon atoms and ( $\beta$ ) an alkylenediamine, the polycondensate comprising at least one carboxylic acid end group esterified or amidated with at least one linear and saturated monoalcohol or with at least one linear and saturated monoamine comprising from 12 to 30 carbon atoms; and

lipophilic polyester polycondensates whose ends are esterified with a crystallizable acid or alcohol consisting of a saturated linear C<sub>12</sub> to C<sub>30</sub> carbon-based chain.

98. (new) The process according to claim 94, wherein said polymer is present in a content ranging from 0.01% to 30% by weight relative to the total weight of the composition.

99. (new) A process for preparing a composition for making up keratin fibers, the process comprising:

dispersing at least one wax in the form of particles ranging in size from 0.5  $\mu$ m to 30  $\mu$ m in diameter in at least one volatile oil, said oil or the mixture of said oils being at a temperature below the melting point of said wax in particle form,

wherein the composition comprises up to 20% by weight of water and/or of water-soluble solvent relative to the total weight of the composition; at least one wax in an amount of greater than 3% by weight relative to the total weight of the composition; and at least one volatile oil in an amount such that the total volatile oil content is less than or equal to the solids content of said composition.

100. (new) The process according to claim 99, wherein said dispersing is performed at room temperature.

101. (new) The process according to claim 99, wherein said particles range from 1  $\mu\text{m}$  to 20  $\mu\text{m}$  in diameter.

102 (new) The process according to claim 101, wherein said particles range from 5  $\mu\text{m}$  to 10  $\mu\text{m}$  in diameter.

103. (new) The process according to claim 99, wherein said at least one wax in particle form is chosen from carnauba wax, synthetic wax, waxes comprising a mixture of carnauba wax and of polyethylene wax, waxes comprising a mixture of carnauba wax and synthetic wax, polyethylene waxes and polytetrafluoroethylene waxes.

104. (new) The process according to claim 99, further comprising, prior to dispersing at least one wax in the form of particles ranging in size from 0.5  $\mu\text{m}$  to 30  $\mu\text{m}$  in diameter, adding at least one wax in molten form to said at least one volatile oil, allowing the mixture to cool with stirring, or blending until it is at a temperature below the melting point of said at least one wax in particle form.

105. (new) The process according to claim 104, wherein said at least one wax in molten form is chosen from waxes that are solid and rigid at room temperature, with a melting point of greater than or equal to 30 °C.

106. (new) The process according to claim 104, wherein said at least one wax in molten form is chosen from hydrocarbon-based waxes, waxes obtained by catalytic hydrogenation of animal or plant oils comprising linear or branched C<sub>8</sub>-C<sub>32</sub> fatty chains and waxes obtained by hydrogenation of castor oil esterified with cetyl alcohol.

107. (new) The process according to claim 104, wherein said at least one wax in molten form is chosen from waxes with a tack of greater than or equal to 0.7 N.s and a hardness of less than or equal to 3.5 MPa.

108. (new) The process according to claim 104, wherein said at least one wax in molten form is chosen from waxes having a starting melting point of greater than or equal to 45 °C.

109. (new). The process according to claim 99, wherein said at least one volatile oil is in a mixture with at least one polymer that is soluble in said oil and that has at least one crystallizable portion.

110. (new) The process according to claim 109, wherein said at least one polymer has a molar mass ranging from 200 g/mol to 1,000,000 g/mol.

111. (new) The process according to claim 109, wherein said crystallizable portion represents from 5% to 50% by weight relative to the total weight of said at least one polymer.

112. (new) The process according to claim 109, wherein said at least one polymer is chosen from:

copolymers of linear and saturated C<sub>12</sub> to C<sub>30</sub> alkyl acrylates or methacrylates and of linear C<sub>4</sub> to C<sub>10</sub> or branched, cyclic and/or unsaturated C<sub>4</sub> to C<sub>30</sub> alkyl (meth)acrylates;

copolymers of vinyl esters comprising linear and saturated C<sub>12</sub> to C<sub>30</sub> alkyl groups and of vinyl esters comprising linear C<sub>4</sub> to C<sub>10</sub> or branched, cyclic and/or unsaturated C<sub>4</sub> to C<sub>30</sub> alkyl groups;

polyamide polycondensates resulting from the condensation between ( $\alpha$ ) at least one acid chosen from dicarboxylic acids comprising at least 32 carbon atoms and ( $\beta$ ) an alkylenediamine, the polycondensate comprising at least one carboxylic acid end group esterified or amidated with at least one linear and saturated monoalcohol or at least one linear and saturated monoamine comprising from 12 to 30 carbon atoms; and

lipophilic polyester polycondensates whose ends are esterified with a crystallizable acid or alcohol comprising a saturated linear C<sub>12</sub> to C<sub>30</sub> carbon-based chain.

113. (new) The process according to claim 109, wherein said at least one polymer is present in an amount ranging from 0.01% to 30% by weight relative to the total weight of the composition.

114. (new) A process for making up keratin fibers, the process comprising:  
applying a composition to said keratin fibers,

wherein said composition comprises up to 20% by weight of water and/or of water-soluble solvent relative to the total weight of the composition; at least one wax in an amount of greater than 3% by weight relative to the total weight of said composition; and at least one volatile oil in an amount such that the total volatile oil content is less than or equal to the solids content of said composition.

115. (new) The process according to claim 114, wherein said keratin fibers are eyelashes.

116. (new) A process for making up keratin fibers, said process comprising applying to said keratin fibers a composition comprising up to 20% by weight of water and/or of water-soluble solvent relative to the total weight of the composition; at least one wax in an amount of greater than 3% by weight relative to the total weight of said composition; and at least one volatile oil in an amount such that the total volatile oil content is less than or equal to the solids content of said composition,

wherein said composition results from continuously blending at least one wax while continuously cooling from a temperature above the melting point of said at least one wax to room temperature.

117. (new) The process according to claim 116, wherein said keratin fibers are eyelashes.

118. (new) A process for making up keratin fibers, said process comprising applying to said keratin fibers a composition comprising up to 20% by weight of water and/or of water-soluble solvent relative to the total weight of the composition; at least

one wax in an amount of greater than 3% by weight relative to the total weight of said composition; and at least one volatile oil in an amount such that the total volatile oil content is less than or equal to the solids content of said composition,

wherein said composition results from dispersing at least one wax in the form of particles ranging in size from 0.5  $\mu\text{m}$  to 30  $\mu\text{m}$  in diameter in at least one volatile oil, said oil or the mixture of said oils being at a temperature below the melting point of said wax in particle form.

119. (new) The process according to claim 118, wherein said keratin fibers are eyelashes.